

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

TENDLER CELLULAR OF TEXAS, LLC

Plaintiff,

v.

MERCEDES-BENZ USA, LLC

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 6:11-cv-178

**JURY TRIAL DEMANDED**

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

Plaintiff Tendler Cellular of Texas, LLC and Defendant Mercedes-Benz USA, LLC, pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims that were asserted or that could have been asserted in this action WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

October 10, 2012.

Respectfully submitted,

/s/ David A. Skeels  
State Bar No. 24041925  
Jonathan T. Suder  
State Bar No. 19463350  
Dave R. Gunter  
State Bar No. 24074334  
FRIEDMAN, SUDER & COOKE  
Tindall Square Warehouse No. 1  
604 East 4th Street, Suite 200  
Fort Worth, Texas 76102  
(817) 334-0400  
Fax (817) 334-0401  
[jts@fsclaw.com](mailto:jts@fsclaw.com)  
[skeels@fsclaw.com](mailto:skeels@fsclaw.com)  
[gunter@fsclaw.com](mailto:gunter@fsclaw.com)

**ATTORNEYS FOR PLAINTIFF  
TENDLER CELLULAR OF TEXAS, LLC**

/s/ Celine Jimenez Crowson  
Robert J. Weinschenk  
Raymond A. Kurz  
Hogan Lovells US LLP  
Columbia Square  
555 Thirteenth Street, NW  
Washington, DC 20004  
(202) 637-5600  
(202) 637-5703 – direct (Crowson)  
(202) 637-6537 – direct (Weinschenk)  
(202) 637-5910 – fax  
[celine.crowson@hoganlovells.com](mailto:celine.crowson@hoganlovells.com)  
[robert.weinschenk@hoganlovells.com](mailto:robert.weinschenk@hoganlovells.com)  
[raymond.kurz@hoganlovells.com](mailto:raymond.kurz@hoganlovells.com)

**ATTORNEYS FOR DEFENDANT  
MERCEDES-BENZ USA LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10th day of October, 2012, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ David A. Skeels